

# **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND )  
COMPOUNDING PHARMACY, INC. )  
PRODUCTS LIABILITY LITIGATION ) MDL No. 2419  
 ) Master Dkt. 1:13-md-02419-RWZ  
This Document Relates to: )  
 )  
All Cases against the Box Hill Defendants<sup>1</sup> )

**AMENDED NOTICE TO TAKE**  
**VIDEO CONFERENCE DEPOSITION**  
**DUCES TECUM OF STEVEN COHEN, M.D.**

PLEASE TAKE NOTICE that pursuant to Rule 30(a)(1), 30(b)(6), and 34 of the Federal Rules of Civil Procedure and MDL Order No. 10 (Dkt.1426), Plaintiffs will take the deposition *duces tecum*, via video-conferencing, of Steven Cohen, M.D. on Wednesday, March 1, 2017, beginning at 10:00 a.m. (EST) and continuing until completed.

The video-conference deposition will be held at the offices of Pessin Katz Law, 10500 Little Patuxent Parkway, Suite 650, Columbia, Maryland 21044, (410) 740-2000. The deposition will be recorded by stenographic means.

The deponent is requested to produce all documents listed in Attachment A.

This the 24<sup>th</sup> day of February, 2017. Respectfully submitted,

/s/ Glenn E. Mintzer

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<sup>1</sup> This pleading applies to: Armetta, et al. v. Box Hill Surgery Center, LLC, et al., No. 1:14-cv-14022-RWZ; Bowman, et al. v. Box Hill Surgery Center, LLC, et al., No. 1:14-cv-14028-RWZ; Davis, et al. v. Box Hill Surgery Center, LLC, et al., No. 1:14-cv-14033-RWZ; Dreisch, et al. v. Box Hill Surgery Center, LLC, et al., No. 1:14-cv-14029-RWZ; Farthing, et al. v. Box Hill Surgery Center, LLC, et al., No. 1:14-cv-14036-RWZ; Kashi, et al. v. Box Hill Surgery Center, LLC, et al., No. 1:14-cv-14026-RWZ; Torbeck, et al. v. Box Hill Surgery Center, LLC, et al., No. 1:14-cv-14023-RWZ; Handy, et al. v. Box Hill Surgery Center, LLC, et al. No. 1:14-cv-14019-RWZ.

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**CERTIFICATE OF SERVICE**

I, Glenn E. Mintzer, hereby certify that I caused a copy of the foregoing to be filed electronically, via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: February 24, 2017

**/s/ Glenn E. Mintzer**

Glenn E. Mintzer

**ATTACHMENT A**

The word "documents" shall be defined to include any kind of written, typewritten, printed or recorded material whatsoever, including without limitation, statements, notes, transcription of notes, memoranda, letters, telefaxes, publications, agreements, pictures, photographs, audio tape recordings, video tape recordings, cassettes, transcriptions of any such recordings, log books, business records, and computer files or electronic data such as e-mails or instant messages.

Pursuant to the Federal Rules of Civil Procedure, this will serve as a request for the Deponent, expert witness Steven Cohen, M.D. ("You" or "Dr. Cohen"), to produce the following documents at least seven days prior to his deposition:

1. All documents containing facts or data that You considered in forming Your expert opinions.
2. All documents containing facts or data that the underlying party's attorney provided to You and that You considered in forming the opinions to be expressed.
3. Copies of all scholarly literature on which You relied.
4. All exhibits that You intend to use to summarize or support his opinions.
5. All materials relevant to Your opinions and Your expert report in this case.
6. A list of all publications You authored in the previous 10 years.
7. A list of all other cases in which You have testified as an expert at trial or by deposition within the previous 4 years.
8. All communications and documents relating to compensation for Your study, report, and/or testimony.
9. All non-privileged communications relating to Your report.
10. Your current resume and curriculum vitae.